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4 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 DAVID A COOK,

7 Plaintiff,

8 v.

9 FEDERATED INSURANCE COMPANY,

10 Defendants.

Case No. C19-5062-RJB-TLF

ORDER OF DISMISSAL

11 THIS MATTER is before the Court on Magistrate Judge Fricke's Report and  
12 Recommendation (Dkt. 10), recommending that the Court dismiss the plaintiff's complaint  
13 pursuant to 28 U.S.C. §§ 1915(e) and 1915A. No objections were filed.

14 (1) The Magistrate Judge's Report and Recommendation is ADOPTED.

15 (2) The action is **DISMISSED without prejudice** for failure to state a claim.

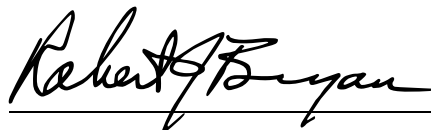
16 (3) Plaintiff's application to proceed *in forma pauperis* (Dkt. 4) is denied as moot.

17 (4) The Clerk is directed to send copies of this Order to plaintiff, to Magistrate Judge

18 Fricke, and to any other party that has appeared in this action.

19 IT IS SO ORDERED.

20 Dated this 15<sup>th</sup> day of July, 2019.

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23 ROBERT J. BRYAN  
24 United States District Judge  
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